

Translation

PATENT COOPERATION TREATY PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2339PCT33084	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/004580	International filing date (<i>day/month/year</i>) 31.03.2004	Priority date (<i>day/month/year</i>) 20.05.2003
International Patent Classification (IPC) or national classification and IPC		
<p>Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.</p>		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p>	<p>a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>1</u> sheets, as follows:</p>
	<p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p>
	<p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s))</p> <p>, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>
4. This report contains indications relating to the following items:	<p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/004580

Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- international search (Rule 12.3 and 23.1(b))
 - publication of the international application (Rule 12.4)
 - international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- the international application as originally filed/furnished
 the description:

pages 1-11 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

- the claims:

nos. _____ as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* 1, 3, 4 received by this Authority on 14.03.2005

nos.* _____ received by this Authority on _____

- the drawings:

sheets fig. 1-7 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

- a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

- the description, pages _____
- the claims, nos. 2 _____
- the drawings, sheets/figs _____
- the sequence listing (*specify*): _____
- any table(s) related to sequence listing (*specify*): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- the description, pages _____
- the claims, nos. _____
- the drawings, sheets/figs _____
- the sequence listing (*specify*): _____
- any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2004/004580

Box No. V **Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1, 3, 4	YES
	Claims		NO
Inventive step (IS)	Claims	4	YES
	Claims	1, 3	NO
Industrial applicability (IA)	Claims	1, 3, 4	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: JP 7-201308 A (Matsushita Electric Industrial Co., Ltd.), 04 August 1995, claims and fig.
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Document 2: JP 2001-283795 A (Matsushita Electric Industrial Co., Ltd.), 12 October 2001,
claims and paragraph [0012]

Document 3: JP 2003-7270 A (NOK Kabushiki Kaisha), 10 January 2003, claims and fig. 3 to 6

The invention set forth in claim 4 is novel and involves an inventive step.

The feature wherein annular sealing protrusions are provided to the points that are compressed during the step for caulking the gaskets and then a sheet-like gasket, which has an elastic rebound coefficient greater than that of either of the gaskets, is disposed thereupon is not disclosed in any of the documents that are cited in the international search report, and would not have been obvious to a person skilled in the art.

The invention set forth in claim 1 does not involve an inventive step in the light of documents 1 and 2 cited in the international search report.

It would have been easy for a person skilled in the

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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art to conceive of employing the sealing unit that is disclosed in document 1 (therein, the "gasket (4)" corresponds to the inner gasket and the "insulating film (9)" corresponds to the sheet-like gasket) in the sealed battery that is disclosed in document 2, wherein the opening in the battery case is sealed by means of the insulating gasket in a sealing unit. In addition, document 1 further indicates that the "gasket (4)" is configured from a polypropylene compound (paragraph [0013]) and that the "insulating film (9)" is configured from a polytetrafluoroethylene compound or the like.

The invention set forth in claim 3 does not involve an inventive step in the light of documents 1 to 3 cited in the international search report.

The feature of improving sealing characteristics by increasing the thickness of the upper surface of a gasket is well known, as disclosed in document 3. Therefore, it would have been easy for a person skilled in the art to conceive of increasing the thickness of the portion of the upper surface of the insulating gasket or the inner gasket that comes into contact with the upper surface of the cap in the sealed batteries that are disclosed in documents 1 and 2.